

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
RICHARD POLHEMUS,

Plaintiff,

- against -

LONG ISLAND RAILROAD COMPANY,

Defendant.

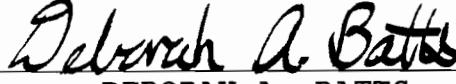
-----X  
DEBORAH A. BATTS, United States District Judge.

The parties having notified the Court that they have reached a resolution of this action,

IT IS HEREBY ORDERED that the above captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within 30 days of the date of this order, Plaintiff may apply by letter for restoration of the action to the calendar of the undersigned if the settlement is not effected by Defendant, in which event the action will be restored.

SO ORDERED.

Dated: New York, New York  
April 17, 2009

  
\_\_\_\_\_  
DEBORAH A. BATTS  
United States District Judge